



General Assembly

Amendment

February Session, 2012

LCO No. 5353

SB0037905353SR0

Offered by:

SEN. RORABACK, 30th Dist.

To: Senate Bill No. 379

File No. 471

Cal. No. 328

**"AN ACT CONCERNING EXPENDITURES OF THE JUDICIAL
DEPARTMENT, THE DIVISION OF CRIMINAL JUSTICE AND THE
PUBLIC DEFENDER SERVICES COMMISSION."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 18-98e of the 2012 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective from passage*):

6 (a) Notwithstanding any provision of the general statutes, any
7 person sentenced to a term of imprisonment for a crime committed on
8 or after October 1, 1994, and committed to the custody of the
9 Commissioner of Correction on or after said date, except a person
10 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,
11 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-56b, 53a-57, 53a-58, or any other
12 crime that resulted in the death of another person, or section 53a-59,
13 53a-59a, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-70, 53a-70a, 53a-70b,
14 53a-72b, 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, [or] 53a-100aa, 53a-

15 101, 53a-102, 53a-102a, 53a-103a, 53a-111, 53a-112, 53a-134, 53a-135,
16 53a-136, 53a-167c, 53a-179b, 53a-179c or 53a-181c, may be eligible to
17 earn risk reduction credit toward a reduction of such person's
18 sentence, in an amount not to exceed five days per month, at the
19 discretion of the Commissioner of Correction for conduct as provided
20 in subsection (b) of this section occurring on or after April 1, 2006.

21 (b) An inmate may earn risk reduction credit for adherence to the
22 inmate's offender accountability plan, for participation in eligible
23 programs and activities, and for good conduct and obedience to
24 institutional rules as designated by the commissioner, provided (1)
25 good conduct and obedience to institutional rules alone shall not
26 entitle an inmate to such credit, [and] (2) the commissioner or the
27 commissioner's designee may, in his or her discretion, cause the loss of
28 all or any portion of such earned risk reduction credit for any act of
29 misconduct or insubordination or refusal to conform to recommended
30 programs or activities or institutional rules occurring at any time
31 during the service of the sentence or for other good cause, and (3) the
32 commissioner or the commissioner's designee shall cause the loss of all
33 such earned risk reduction credits for any person who earned such
34 credits prior to the effective date of this section while sentenced for a
35 violation of section 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-56b, 53a-57,
36 53a-58, or any other crime that resulted in the death of another person,
37 or section 53a-59, 53a-59a, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-70,
38 53a-70a, 53a-70b, 53a-72b, 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-
39 101, 53a-102, 53a-102a, 53a-103a, 53a-111, 53a-112, 53a-134, 53a-135,
40 53a-136, 53a-167c, 53a-179b, 53a-179c or 53a-181c. If an inmate has not
41 earned sufficient risk reduction credit at the time the commissioner or
42 the commissioner's designee orders the loss of all or a portion of
43 earned credit, such loss shall be deducted from any credit earned by
44 such inmate in the future.

45 (c) The award of risk reduction credit earned for conduct occurring
46 prior to July 1, 2011, shall be phased in consistent with public safety,
47 risk reduction, administrative purposes and sound correctional
48 practice, at the discretion of the commissioner, but shall be completed

49 not later than July 1, 2012.

50 (d) Any credit earned under this section may only be earned during
51 the period of time that the inmate is sentenced to a term of
52 imprisonment and committed to the custody of the commissioner and
53 may not be transferred or applied to a subsequent term of
54 imprisonment. In no event shall any credit earned under this section be
55 applied by the commissioner so as to reduce a mandatory minimum
56 term of imprisonment such inmate is required to serve by statute.

57 (e) The commissioner shall adopt policies and procedures to
58 determine the amount of credit an inmate may earn toward a
59 reduction in his or her sentence and to phase in the awarding of
60 retroactive credit authorized by subsection (c) of this section."

This act shall take effect as follows and shall amend the following sections:		
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Sec. 501	<i>from passage</i>	18-98e
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